

No.

CR 07 00549 JF PVT

FILED

2007 AUG 22 P 3:54

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
NO. DIST OF CA. S.J.
Sm

THE UNITED STATES OF AMERICA

vs.

ADOLFO MORALES-ORTUNIO

INDICTMENT

COUNT ONE:

Title 8, U.S.C. § 1326 - Illegal Re-Entry Following
Deportation

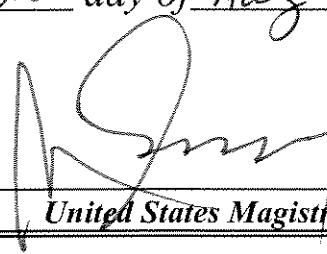
A true bill.

Barbara L. Wells

Foreperson

Filed in open court this 22 day of Aug'

A.D. 2007



United States Magistrate Judge

Bail. \$ No process

1 SCOTT N. SCHOOLS (SCBN 9990)
2 United States Attorney

FILED

2007 AUG 22 P 5 54

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4 RICHARD W. WIEKING
5 CLERK
6 U.S. DISTRICT COURT
7 NO. DIST OF CA, S.J.
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E-FILING

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ADOLFO MORALES-ORTUNIO

Defendant.

CR

No.

07 00549

JF

VIOLATION: 8 U.S.C. § 1326 –
Illegal Re-Entry Following Deportation

PWT

SAN JOSE VENUE

I N D I C T M E N T

The Grand Jury charges:

On or about July 27, 2007, the defendant

ADOLFO MORALES-ORTUNIO,

an alien, previously having been arrested and deported from the United States on or about February 27, 1999 and December 13, 2002, was found in the Northern District of California, the Attorney General of the United States and the Secretary for Homeland Security not having expressly consented to a re-application by the defendant for admission into the United

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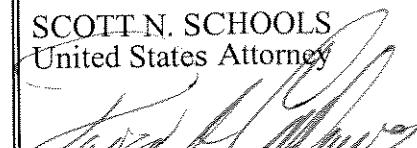
INDICTMENT

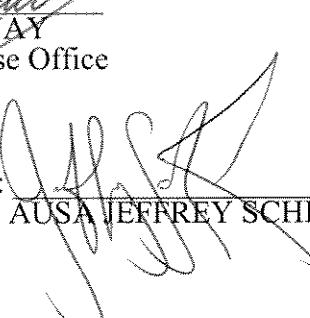
1 States, in violation of Title 8, United States Code, Section 1326.

2 DATED: 8/22/07

A TRUE BILL.

3 
4 FOREPERSON
5

6 SCOTT N. SCHOOLS
7 United States Attorney


8 DAVID R. CALLAWAY
9 Deputy Chief, San Jose Office


10 (Approved as to form:
11  AUSA JEFFREY SCHENK
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INDICTMENT

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

Name of District Court, and/or Judge/Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

OFFENSE CHARGED

Title 8, U.S.C. § 1326 - Illegal Re-Entry Following Deportation

- Petty
 Minor
 Misdemeanor
 Felony

E-FILING**CR****07****00549****PVT****PENALTY:**

20 years imprisonment
\$250,000 fine
3 years supervised release
\$100 special assessment fee

PROCEEDING

Name of Complainant Agency, or Person (&Title, if any)

ICE

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

this is a reprocution of charges previously dismissed
 which were dismissed on motion of:

U.S. Att'y Defense

this prosecution relates to a pending case involving this same defendant
 prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person Furnishing Information on THIS FORM

SCOTT N. SCHOOLS

U.S. Att'y Other U.S. Agency

Name of Asst. U.S. Att'y (if assigned)

JEFFREY SCHENK

IS NOT IN CUSTODY

- 1) Has not been arrested, pending outcome this proceeding.
 If not detained give date any prior summons was served on above charges
- 2) Is a Fugitive
- 3) Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) On this charge
- 5) On another conviction
- 6) Awaiting trial on other charges } Fed'l State

If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**

SUMMONS NO PROCESS*

WARRANT Bail Amount: _____

If Summons, complete following:

Arraignment Initial Appearance

Defendant Address: _____

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments: _____